

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

GAYLE D. HANKS, *et al.*,

Plaintiffs,

v.

CITY OF SEATTLE, *et al.*,

Defendants.

CASE NO. C21-0601-JCC

ORDER

This matter comes before the Court on Plaintiffs' response to the Court's order to show cause why the case should not be dismissed for lack of subject matter jurisdiction (Dkt. No. 16.)

The Court previously ordered Plaintiffs' to explain "how the case meets the subject matter jurisdictional requirements based on either diversity of citizenship or a federal question." (Dkt. No. 15.) As the Court indicated in its order to show cause, "[i]f the Court determines at any time that it lacks subject-matter jurisdiction, the court must dismiss the action." (Dkt. No. 15 (quoting Fed R. Civ. P. 12(h)(3).) "The party asserting jurisdiction has the burden of proving all jurisdictional facts." *See Indus Tectonics, Inc. v. Aero Alloy*, 912 F.2d 1090, 1092 (9th Cir. 1990). Plaintiffs have failed to meet their burden.

Accordingly, this case is DISMISSED without prejudice. The Clerk is DIRECTED to CLOSE this case, terminate outstanding motions, and send a copy of this order to Plaintiffs.

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1 DATED this 22nd day of July 2021.

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6 UNITED STATES DISTRICT JUDGE  
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